

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
Janice Razzano,

Plaintiff,

- against -

Remsenburg-Speonk Union Free School District *et al*,

Defendants.
-----X

: CV:11-02920(KAM)(PK)
:
: **MOTION TO WITHDRAW**
: **AS ATTORNEY OF RECORD**
:
:
:

PLEASE TAKE NOTICE that upon the attached affidavit of Scott Michael Mishkin, Esq., as required by Local Civil Rule 1.4, the undersigned will move this Court, before the Honorable Judge Peggy Kuo, United States Magistrate Judge, at the Courthouse for the United States District Court for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn New York 11201 on a date and a time set by the Court, or as soon thereafter as counsel may be heard for an ORDER:

Granting the Motion of Scott Michael Mishkin, PC , to Withdraw as Attorneys of Record for plaintiff Janice Razzano in this matter .

Dated: Islandia, New York
April 2, 2019

Respectfully submitted,

SCOTT MICHAEL MISHKIN, P.C

By: 
Scott Michael Mishkin (SMM 3687)

UNITED STATES DISTRICT COURT
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Janice Razzano,

Plaintiff,

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Defendants.
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: CV:11-02920(KAM)(PK)
:
: **AFFIDAVIT IN SUPPORT**
: **OF MOTION TO WITHDRAW**
: **AS ATTORNEY OF RECORD**
:

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

SCOTT MICHAEL MISHKIN, ESQ., an attorney duly admitted to practice in the Eastern District of New York and the Courts of the State of New York, affirms that the following statements are true under the penalties of perjury:

1. I am a member of the Firm of SCOTT MICHAEL MISHKIN, P.C., and have been retained to represent the plaintiff Janice Razzano and as such, I am fully familiar with the facts and circumstances herein from review and handling of the file maintained by this office.

2. That on June 3, 2011, a fully executed Retainer Agreement was agreed to between plaintiff and Scott Michael Mishkin PC.

3. That plaintiff was fully aware of all the terms and conditions of said Retainer Agreement prior to signing it, as all of said terms and conditions were reviewed with plaintiff and confirmation of plaintiff's understanding of said terms and conditions were acknowledged

by plaintiff prior to his execution of her complete understanding of her retainer agreement with Scott Michael Mishkin PC.

4. That subsequent to the execution of his retainer agreement with Scott Michael Mishkin PC, it has become crystal clear that plaintiff and the members of Scott Michael Mishkin PC no longer share the trust of the attorney client relationship, and as such plaintiff has caused the attorney client relationship to become argumentative and continuously confrontational.

5. Despite ongoing attempts to continuously advise plaintiff of the status of her matter and what is in their best interest, as well as procedure, plaintiff's ongoing actions contradicted representation and good faith efforts, including but not limited to her conjuring up deliberate and false allegations of statements never made by any member of Scott Michael Mishkin PC.

6. Despite ongoing written attempts to advised that did advise plaintiff of the status of her matter and ongoing requests for her to contact Scott Michael Mishkin PC in regard to the status of her matter and despite her written acknowledgment of receipt of same, plaintiff alleged that she never received any written correspondence(s) from Scott Michael Mishkin PC in regard to the status of her matter and requests to contact Scott Michael Mishkin PC.

7. Despite my written requests to have plaintiff cease making these false allegations, she continued to do so and her misrepresentations of representation worsened.

8. Plaintiff and I no longer have a meeting of the minds pertaining to this matter, despite always having her best interest first and working diligently on her representation.

9. Plaintiff's unwarranted and unfounded mistrust of this Firm's representation demonstrates the destruction of our attorney client relationship.

10. As such, I can no longer be subject to plaintiff's false allegations and deliberate indifference and disregard to this Firm's good faith representation and am respectfully requesting that Scott Michael Mishkin PC, be relieved as plaintiff's attorneys of record.

11. The status of this matter is that the parties are to file a joint status letter with the Court on April 15, 2019, and there is a conference with the Court on April 22, 2019.

12. Scott Michael Mishkin PC will seek a charging lien for work performed on this matter.

13. This is the first application in this matter by plaintiff's counsel.

WHEREFORE, I respectfully request that this Motion be granted in its entirety and that Scott Michael Mishkin PC, be relieved as attorneys of record for plaintiff as for and in regard to this matter.

Dated: Islandia, New York
April 2, 2019

SCOTT MICHAEL MISHKIN, P.C.

By: Scott Michael Mishkin, Esq.
One Suffolk Square Suite 240
Islandia, New York 11749
Telephone: (631) 234-1154
Facsimile: (631) 234-5048

Sworn to before me this
2nd Day, April, 2019

Kyle J. Pulis
Notary Public

To: Janice Razzano
3 Normandie Lane
East Moriches, New York 11940
jrazz11940@gmail.com

